# ST. JOHN'S URBAN REGION REGIONAL COUNCIL

## A DISCUSSION PAPER

86-05346/

## NOTE

This report was written before the recent decisions to incorporate Logy Bay - Middle Cove - Outer Cove and to extend the boundaries of Torbay were taken, and should be read with these changes in mind.

The effect of these moves is to reduce the St. John's Metropolitan Area population to about 3,700. This will have an effect on the financial projections in Part II, particularly Tables 7 and 8, but does not alter the desirability or feasibility of the various options put forward for the future local government system in the Region.

# DISCUSSION PAPER

# ON THE

# RE-ESTABLISHMENT OF

# THE ST. JOHN'S METROPOLITAN AREA BOARD

# AS A

# REGIONAL COUNCIL

## LIST OF CONTENTS


| | | PAGE |
|---|---|---|
| Introduction | | 1 |
| Part I | History | 2 |
| Part II | Operation of the St. John's Metropolitan Area Board | 14 |
| Part III | Options for the Future | 33 |
| Part IV | Responsibilities and Powers of a Regional Council | 40 |
| Part V | Funding a Regional Council | 63 |
| Part VI | The Boundaries of the Region | 65 |
| Part VII | The Regional Council | 67 |
| Schedule | | 73 |

## LIST OF MAPS


| Map Number | Title | PAGE |
|---|---|---|
| 1 | Evolution of St. John's City Boundary 1921-76 | 3 |
| 2 | Evolution of St. John's Metropolitan Area. Original (1963) Area | 6 |
| 3 | Evolution of St. John's Metropolitan Area 1963-1976 | 8 |
| 4 | Evolution of St. John's Metropolitan Area 1976-86 | 10 |
| 5 | Evolution of St. John's Metropolitan Area 1986- | 12 |
| 6 | St. John's Metropolitan Area Today Population Distribution | 17 |

# LIST OF TABLES


| Table Number | Title | PAGE |
|---|---|---|
| 1. | St. John's Metropolitan Area Distribution of Population | 16 |
| 2. | St. John's Urban Region Municipalities. Provincial Government Grants as a Percentage of Total Revenues | 20 |
| 3. | St. John's Urban Region Municipalities Provincial Government Grants | 22 |
| 4. | St. John's Urban Region Municipalities. Provincial Government Grants Per Capita | 24 |
| 5. | St. John's Metropolitan Area Board Revenue 1979-85 | 28 |
| 6. | St. John's Metropolitan Area Board Expenditures 1979-85 | 29 |
| 7. | St. John's Metropolitan Area Board 1986 Budget | 30 |
| 8. | St. John's Metropolitan Area Board Projected Revenues and Expenditures | 31 |

# INTRODUCTION

Executive Council has ordered that the St. John's Metropolitan Area Board be re-established as a Regional Council incorporated under the provisions of The Municipalities Act.

The Minister of Municipal Affairs has been authorized, in co-operation with the municipalities within the Region to recommend the constitution of the proposed Regional Council and to outline its responsibilities and powers for consideration in a Feasibility Study in accordance with the requirements of The Municipalities Act.

This discussion paper has been written to describe the present situation regarding the St. John's Metropolitan Area Board and the purposes of regional government as a basis for future action. It presents a history of the Board and its operation, it describes the operations and financing of the Board, and examines the possible structure and power of regional councils established under The Municipalities Act.

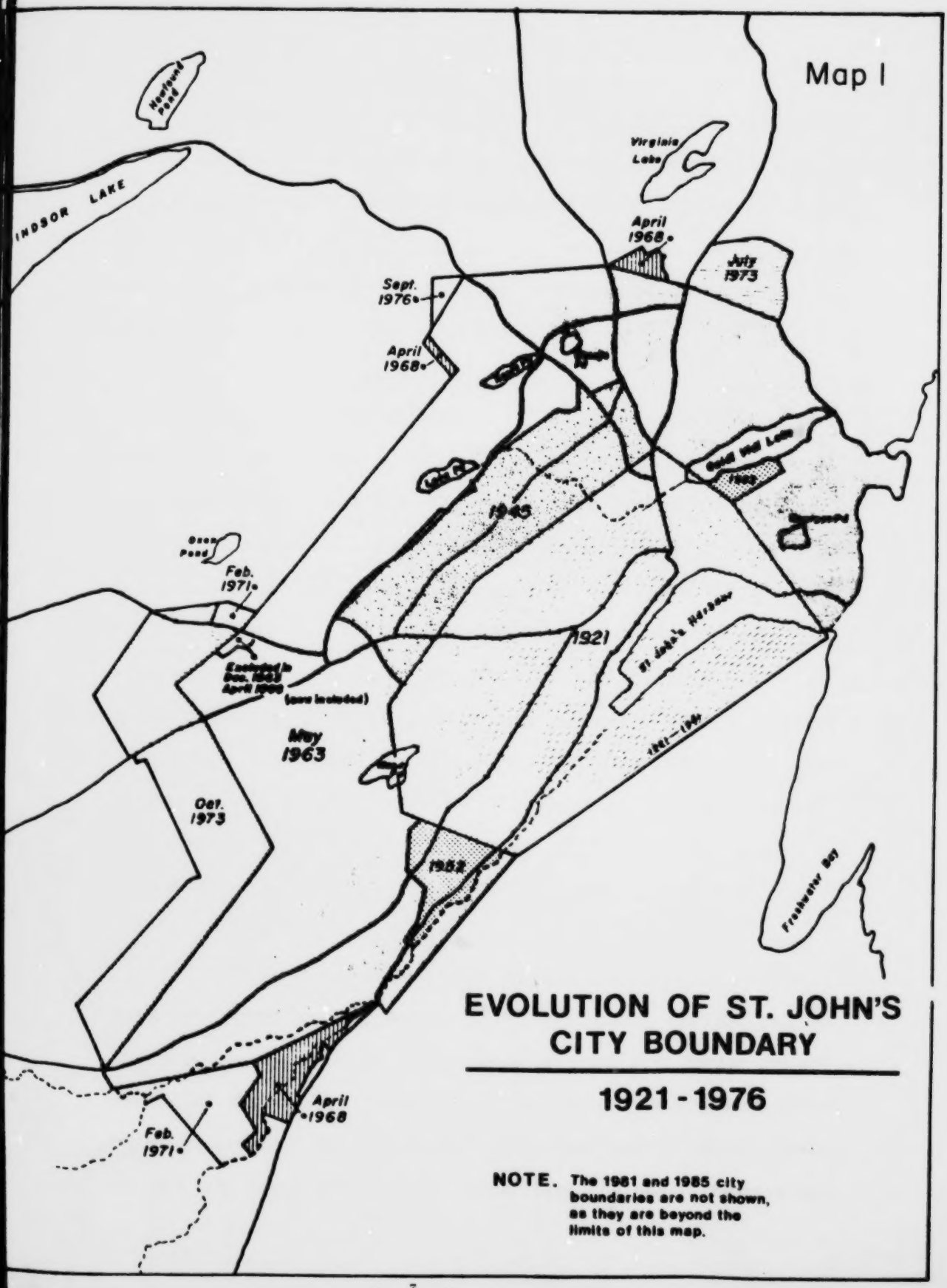
The schedule, at the end of this paper, is in the form of a questionnaire listing a range of options open to the Lieutenant-Governor in Council in establishing this region. The completion of the questionnaire by all of the municipal councils in the region and other interested parties will be of considerable assistance in establishing the constitution and the powers, duties and responsibilities of the Regional Council.

# PART I - HISTORY

The St. John's Metropolitan Area Board was created in 1963 to deal with the problem of ribbon development and unco-ordinated growth on the fringes of St. John's. Before Confederation the capital city had remained reasonably compact and well contained within its 1921 boundaries which extended roughly to the head of Quidi Vidi Lake, Empire Avenue, Mundy Pond, Symes Bridge and the South Side Hills (see Map 1).

In 1945 a major expansion took in a strip of territory on either side of a proposed new cross route now known as Elizabeth Avenue. It is likely that the impetus to prosperity brought about by the Second World War and the discussion over Terms of Union which focussed attention on the costs of municipal services, brought a growing realization of the problems of unrestricted, unserviced residential and commercial development on the fringes of St. John's. In response to this City Council was given powers in the City Act to control all building and development in an area stretching one mile from the City boundaries.

In 1952 two fairly minor expansions to the City boundaries in the east and west occurred. By the mid 1950's the pace and pressure of unco-ordinated development brought three steps, - the incorporation of the Town of Mount Pearl-Glendale (June 28, 1955) the making of the St. John's (Approaches) Subdivision Regulations (December 2, 1955) and the creation of the St. John's Metropolitan Committee (early 1956).




# EVOLUTION OF ST. JOHN'S CITY BOUNDARY

## 1921 - 1976

**NOTE.** The 1981 and 1985 city boundaries are not shown, as they are beyond the limits of this map.

The Regulations provided provincial control of subdivision out to the airport, Windsor Lake and Kilbride and down Topsail Road as far as Topsail. The Committee consisting of Cabinet Ministers and the Mayors of the City and the Town was created by Cabinet to arrange for a study of the problems of unplanned and uncontrolled development on the St. John's fringes.

This led to the engagement of Canadian-British Engineering Consultants to carry out a study. The Canadian-British Report was completed by December 1957. The report proposed a number of water, sewer and road works and recommended "the immediate creation of a Metropolitan Council with authority over the whole area." The existing boundaries of both the City and the Town were to be substantially extended and the remainder of the area was to be incorporated as a Township. After the report had been circulated for comment some steps were taken to draft legislation to give effects to its proposals but in 1959 the City suggested that it would prefer to take responsibility for controlling the growth of the area.

In 1960 the City passed a formal resolution to prepare a Municipal Plan for the Metropolitan Area which was defined as approximately the area covered by the City's one mile cordon and the Provincial subdivision regulations. An Interim Development Order and Rules provided the City Council with development control powers and the City began work on plan preparation. A public hearing was

held in 1962, by the appointed commissioner, Mr. John Crosbie. It became obvious that the plan was inadequate in that it did not make proposals for future servicing of fringe areas and would result in fact in an increased separation of the City from its outer environs.

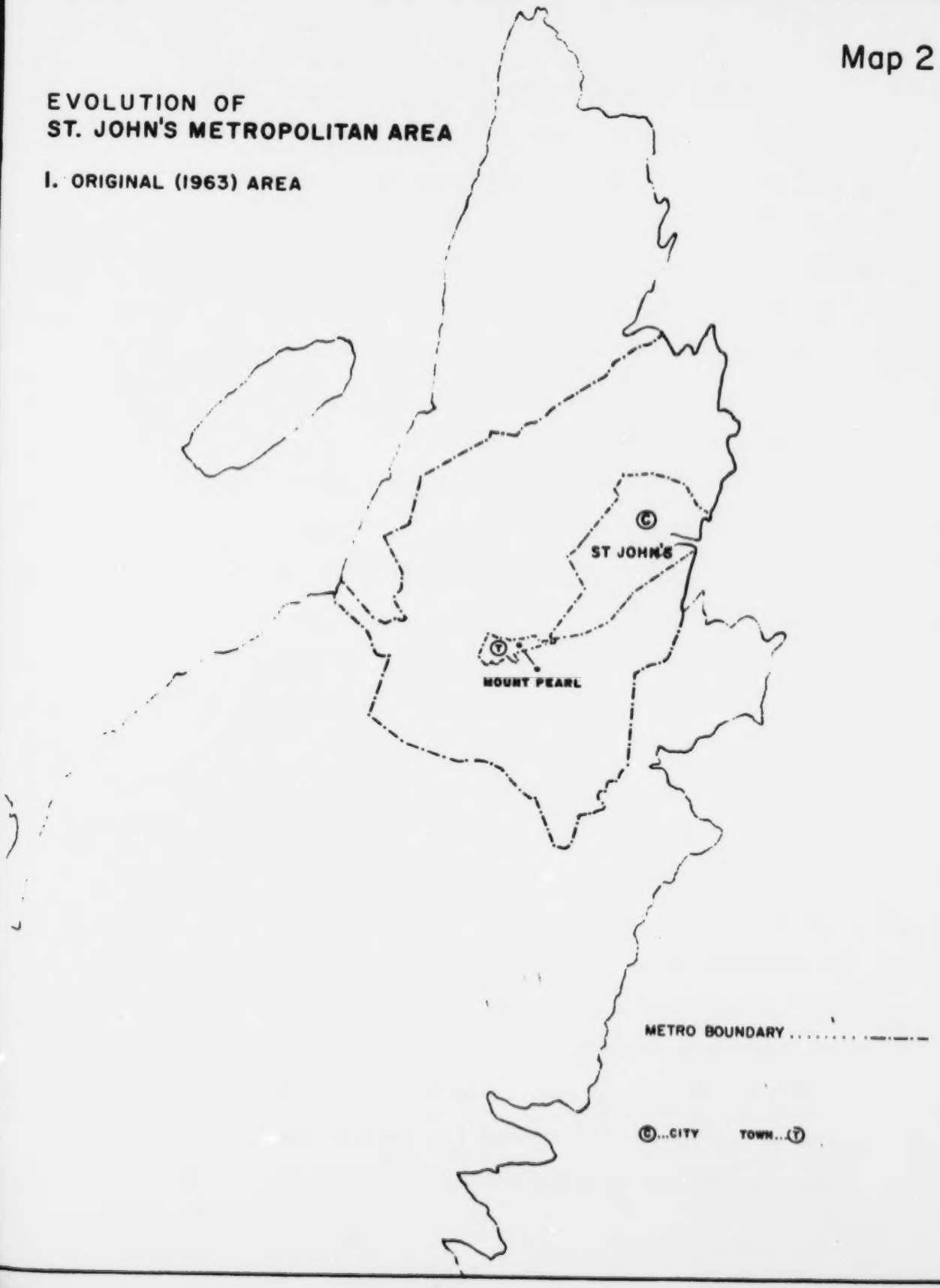
It was decided to create a separate body to control and administer the fringe areas and in 1963 an Act was passed creating the St. John's Metropolitan Area to be administered by a Board appointed by the Minister to provide a general control of development and growth in the Metropolitan Area. This area was now defined (see Map 2) to extend as far as the Goulds, Topsail, Old Broad Cove Road and the south edge of Torbay. Also in 1963 the City boundary was expanded substantially taking in Signal Hill, Quidi Vidi, Pleasantville, MacDonald Drive area, the Confederation Building area, the Memorial University of Newfoundland North Campus, O'Leary Avenue area, the Mundy Pond area and the land around Canada Drive and Cowan Avenue.

For the 6 years after creation of the Board there were few changes. The Board set about preparation of a municipal plan which was finally completed and approved in May 30, 1969. Planning control by the Board was extended to include St. Thomas, St. Phillips, and also the Three Island Pond Area. The City had some minor boundary changes and Wedgewood Park and Petty Harbour were incorporated. (The latter municipality was not in the Metropolitan Area at the time).

Map 2

# EVOLUTION OF ST. JOHN'S METROPOLITAN AREA

## I. ORIGINAL (1963) AREA



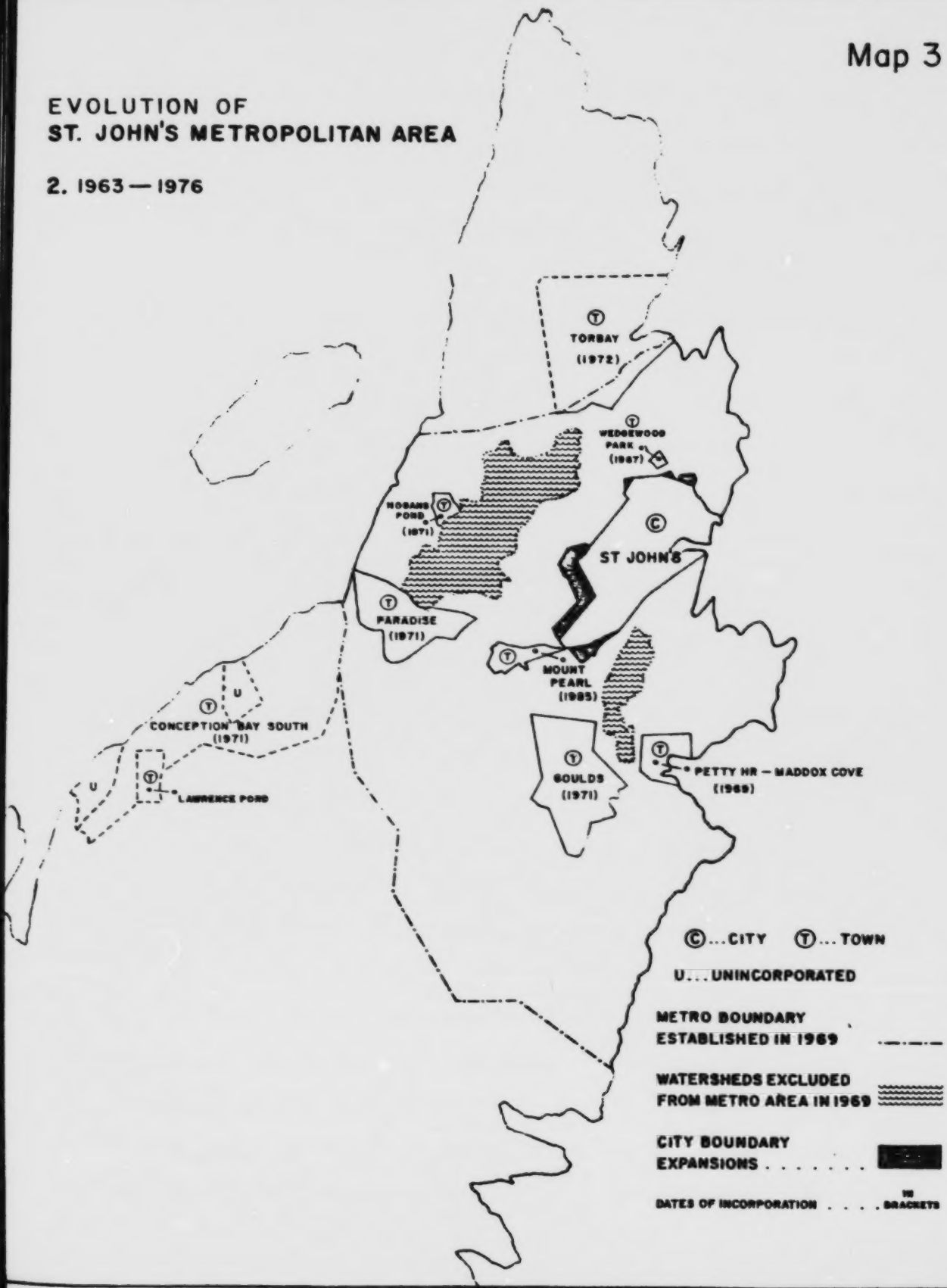
In 1969 (Map 3) a major extension brought the Bay Bulls Big Pond watershed into the Metropolitan Area. In the same year the watersheds of Windsor Lake-Broad Cove and Petty Harbour Long Pond were removed from the Metro Area. By virtue of the City Act, the City Council had the power and duty to control building in the watersheds and it was felt confusing and unnecessary for the Metropolitan Board to exercise a separate control in the same area.

The first part of the 1970's decade was more active for three reasons. Firstly the completion of the St. John's Urban Region Study and the subsequent Henley Commission hearings focussed attention on the problems of planning, development and administration in the area. Also during this period a number of new incorporations and boundary extensions removed areas from the Metropolitan Board control. Thirdly during this time several areas developed as residential areas with urban services but stayed within the Metropolitan Area as Designated Service Areas in which special taxes could be imposed to pay for both the construction and operation of the municipal, water and sewer and other urban services. These include Kilbride, Shea Heights, West Hills, the New Town, Eastmeadows, Evergreen Village and the Anne Jeanette Trailer Park. As a result the Board found itself fulfilling dual roles. On the one hand it was a controlling agency regulating development in fringe areas, its original mandate, and on the other it was supplying full urban services in a number of subdivisions. It was in fact controlling virtually all urban expansion lands as the City

Map 3

# EVOLUTION OF ST. JOHN'S METROPOLITAN AREA

## 2. 1963 — 1976



of St. John's and the Town of Mount Pearl had all but reached the limits of expansion within their own boundaries. The new developments were dependent on the use of the City's and Town's Trunk services but were otherwise completely outside their control.

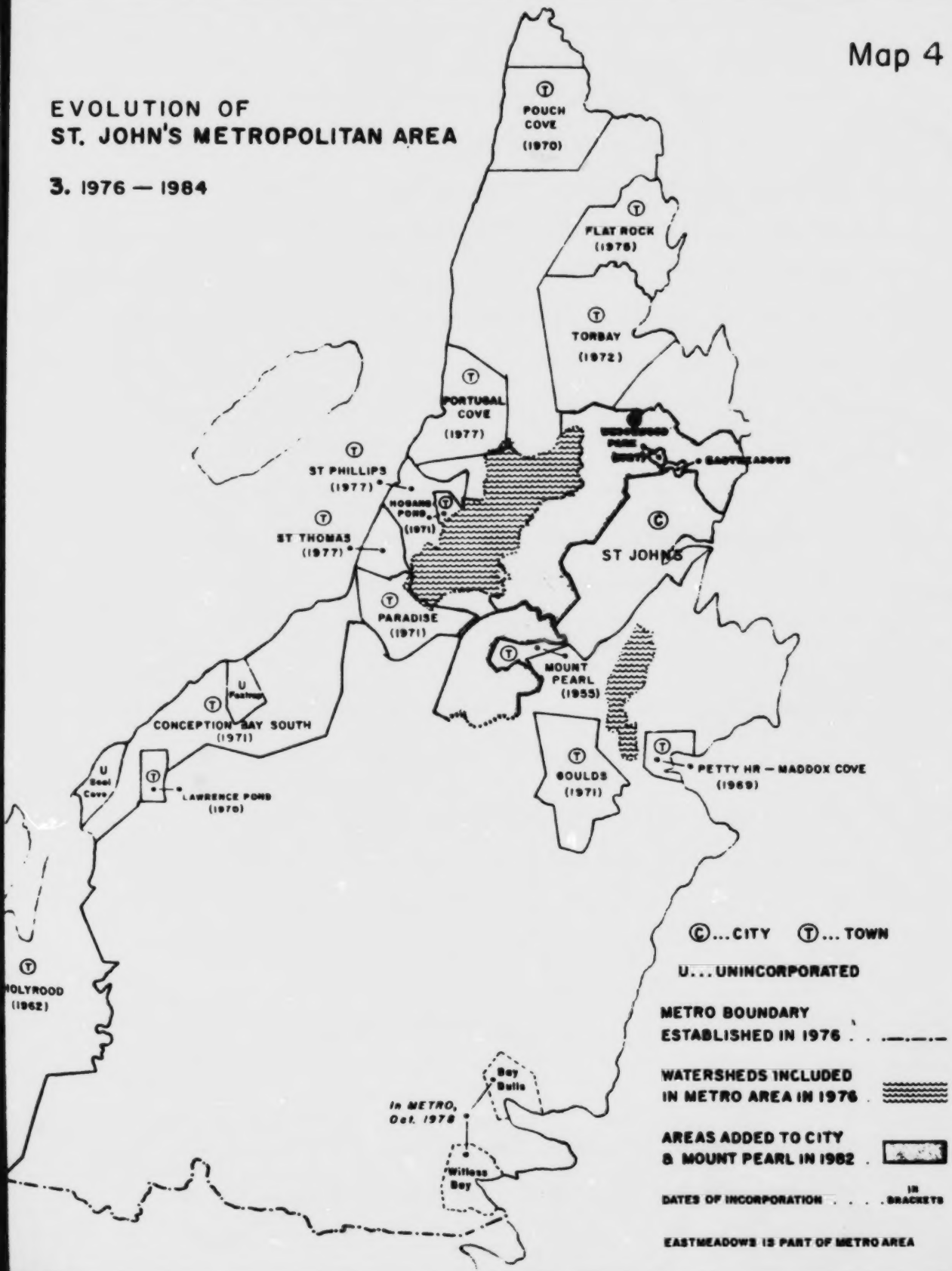
In 1976 the St. John's Urban Region Planning Area was created to cover the whole North East Avalon Peninsula and a Regional Plan was approved for it. Shortly afterwards the Metropolitan Area was extended to cover the whole region (Map 4) excluding the existing municipalities; thirteen, later increased to seventeen, and four unincorporated settlements which have since been incorporated or included in existing municipalities.

Later in the year the release of the third Henley Commission Report led to considerable debate on the merits of Regional Government. Two Bills were introduced but abandoned and a series of inter-municipal meetings revealed extreme caution over the introduction of Regional Government among existing municipalities and outright opposition to any form of incorporation from some of the unincorporated places. As a result the Regional Government concept was not formally introduced into the region. In 1979 The Municipalities Act provided a new and more complex procedure for dealing with new incorporations and municipal boundary changes. It was decided to use these procedures to examine firstly a thorough re-organization of boundaries in the Urban Core of the Region and later to consider the outer areas including the Metropolitan Area

Map 4

# EVOLUTION OF ST. JOHN'S METROPOLITAN AREA

## 3. 1976 — 1984



itself. It was proposed to divide the Urban Core into two separate municipalities, an expanded City and an expanded Town of Mount Pearl with the Metropolitan Board no longer having responsibilities for servicing dense urbanized areas. Mr. Clarence Powell, as Commissioner, conducted a series of public hearings early in 1981 and recommended approval of the proposal but whilst it was decided to go ahead with the principle of the original proposal and expand substantially the City of St. John's and the Town of Mount Pearl, important changes were made. The Town of Wedgewood Park was retained and slightly expanded and Eastmeadows, Kilbride and Shea Heights remained in the Metropolitan Area as serviced developments. The New Town, West Hills and Donovans Industrial Park were taken into Mount Pearl and the City took in Anne Jeanette Trailer Park and significant new development areas in the North East as well as the airport. Meanwhile in 1978 the Board had been made responsible for the administration of the Regional Water Supply System.

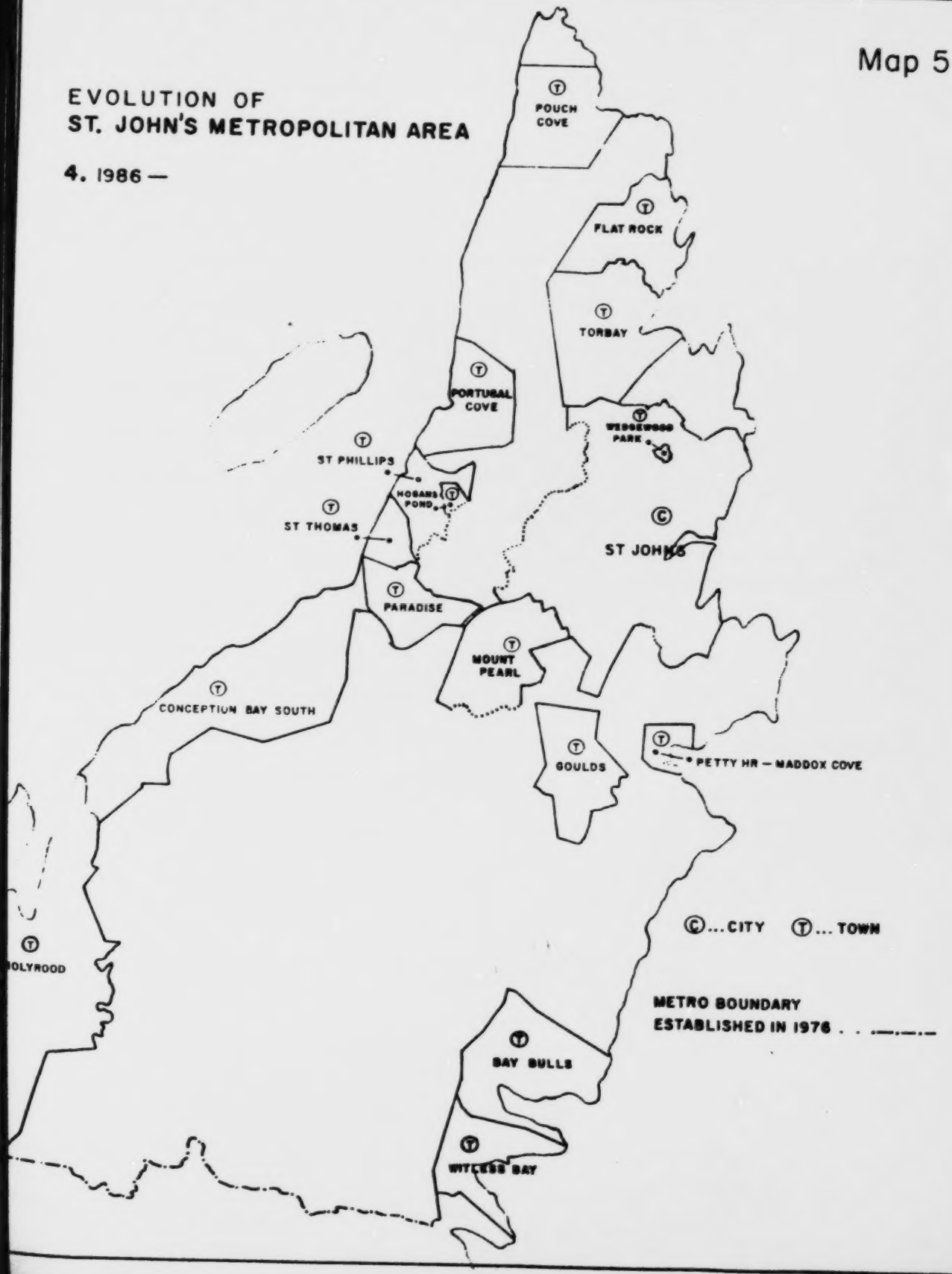
The second round of the Urban Core Boundary changes has now taken place and has resulted in East Meadows, Kilbride and Shea Heights being included within the boundaries of the City of St. John's. Lawrence Pond, Foxtrap and Seal Cove have also been incorporated within the boundaries of Conception Bay South, and Bay Bulls and Witless Bay have been incorporated as separate municipalities. (See Map 5).

Feasibility Studies have been carried out but not finalized for the incorporation of Logy Bay - Outer Cove - Middle Cove, and

Map 5

EVOLUTION OF
ST. JOHN'S METROPOLITAN AREA

4. 1986 —



for the expansion of the Town of Torbay. A number of requests have also been made for the extension and adjustment of the existing boundaries of many of the municipalities in the Region.

Executive Council has now ordered that The St. John's Metropolitan Area Board be re-established as a Regional Council incorporated under the provisions of The Municipalities Act, and that the Minister of Municipal Affairs in co-operation with the municipalities in the Region, recommend the constitution of the proposed Regional Council and outline its responsibilities and powers for consideration in a Feasibility Study.

The Feasibility Study will also examine all outstanding proposals for incorporation and for boundary expansion, as well as further changes to other municipal boundaries in the Region, and will recommend changes where necessary in the interests of the whole local government structure in the Region.

## PART II - OPERATION OF THE ST. JOHN'S METROPOLITAN AREA BOARD

The St. John's Metropolitan Area Board at present consists of 9 members, who are appointed by the Lieutenant-Governor in Council. The Chairman and five members are appointed at large; two members represent the St. John's Municipal Council and one member represents the Mount Pearl Municipal Council. Since its incorporation, the Board has come under increasing criticism because it is appointed and not elected and this criticism has increased lately as the Board has begun to impose taxes throughout its area.

From its initial incorporation, the Board provided local government administration throughout the St. John's Metropolitan Area. In addition to administration, these services included engineering, planning, development control and building inspection.

Over time the Board began to provide urban services to the communities and areas of East Meadows, Kilbride, Shea Heights, West Hills, Mount Pearl, Newtown, and Donovans, and more recently Evergreen Village and Elizabeth Park. These services included road maintenance, snow clearing, piped water and sewer, garbage collection and street lighting.

Since the Urban Core boundary adjustments, the Board provides these services only to Evergreen Village and Elizabeth Park.

In addition to the urban services to Elizabeth Park/Evergreen Village, Local Government Administration, Engineering, Planning, Building Control, Recreation Grants, Fire Protection, Animal Control, Assessments, Garbage Collection and Street Lighting are now provided throughout the Metropolitan Area. The Board operates and maintains the Bay Bulls Big Pond Regional Water Supply System in the Region on behalf of the Province .

In addition to the full time Chairman, the Board has a permanent staff of 37 persons, including a Town Clerk, Town Planner, Town Engineer, Chief Building Inspector and Water Supply Engineer. Of this number, 17 are engaged in operating the Board's local government functions, and 20 are employed in the operation of the Regional Water Supply System.

The Board's first Municipal Plan, approved in 1969, provided a number of urban development areas around the existing communities with the remainder split into rural, agricultural and watershed areas. The policies expressed were quite general and the scale of the Municipal Plan map was small. In 1977 the Board's Municipal Plan was substantially amended to accord with the St. John's Urban Region Regional Plan and since that time the Municipal Plan has been amended from time to time to comply with major regional development and resource policy changes in the Regional Plan. The Board has also prepared a number of Development Schemes establishing more detailed plans for potential development areas in the general planning area.

TABLE 1

ST. JOHN'S METROPOLITAN AREA

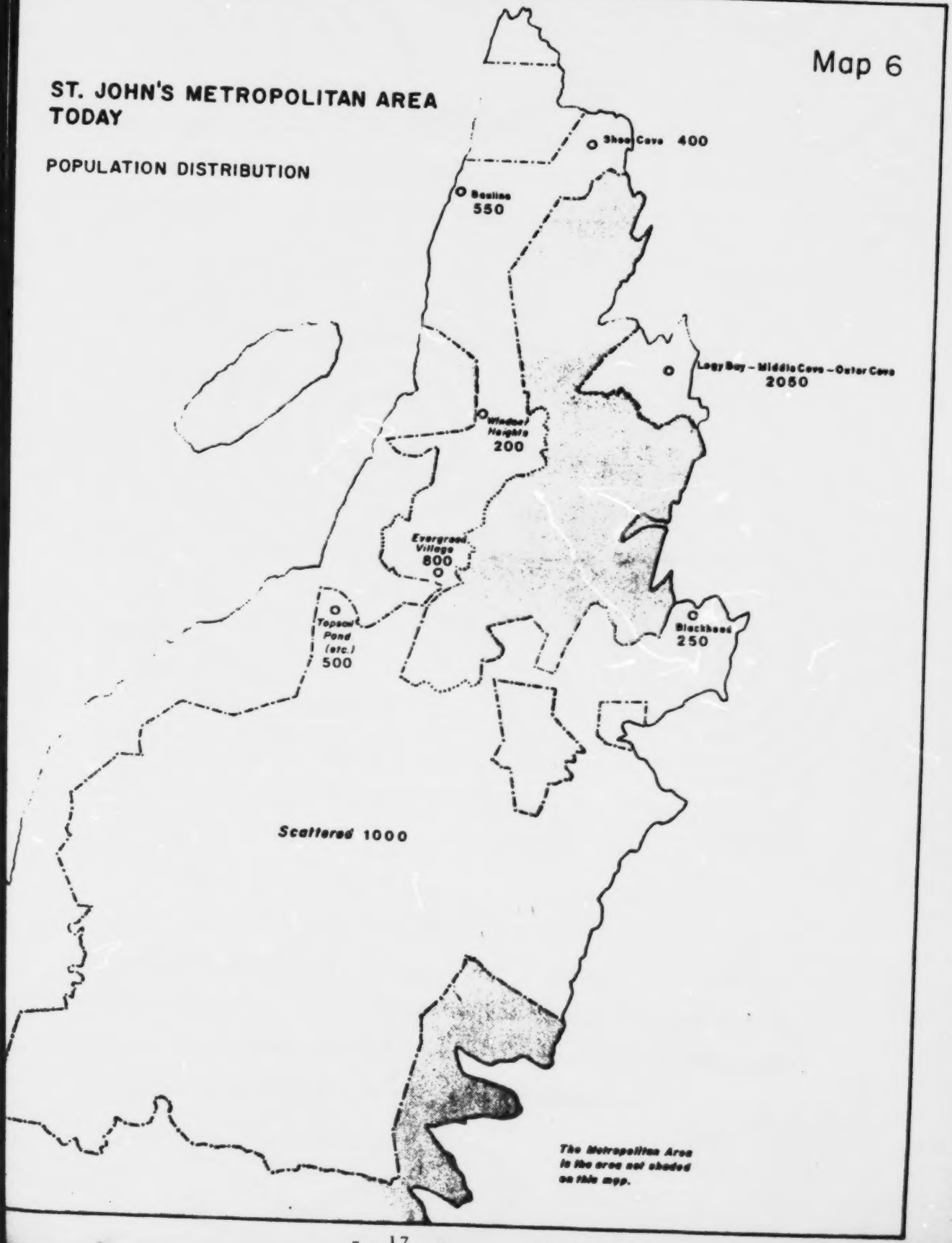
DISTRIBUTION OF POPULATION

| AREA | ESTIMATED POPULATION | PERCENTAGE |
|---|---|---|
| Logy Bay - Middle Cove - Outer Cove | 2,050 | 35 |
| Evergreen Village | 800 | 14 |
| Bauline | 500 | 9 |
| Topsail Pond Area | 800 | 14 |
| Shoe Cove | 400 | 7 |
| Blackhead | 100 | 2 |
| Windsor Heights | 250 | 4 |
| Scattered | 850 | 15 |
| TOTAL | 5,750 | 100 |

Map 6

## ST. JOHN'S METROPOLITAN AREA TODAY

POPULATION DISTRIBUTION


Shoe Cove 400
Beaches 550
Logy Bay – Middle Cove – Outer Cove 2050
Windsor Heights 200
Evergreen Village 800
Topsail Pond (etc.) 500
Blackhead 250
Scattered 1000
The Metropolitan Area is the area not shaded on this map.

The total population of the Metropolitan Area given in the 1981 Census adjusted to allow for the recent boundary changes (Urban Core and Bay Bulls and Witless Bay) is estimated to be 5,750. The approximate distribution of this total is given in Table 1. (see also Map 6).

About 2,050 persons, or little over a third, live in the Logy Bay - Middle Cove - Outer Cove area which is presently being considered for separate incorporation, and about 800 live in the serviced area of Evergreen Village which the Town of Paradise would like to have included in its municipal boundaries. Together, these account for half of the present population of the Metropolitan Area. Of the remainder, about 2,000 live in five small communities, some of which are considering incorporation or annexation, and 850 are scattered throughout the area.

The Board levies a water and sewer fee of $144.00 per annum, and a property tax of 10 mills in the one remaining Designated Service Area, and of 4 mills in the rest of its area. It levies a business tax of 21 mills throughout the whole area. Since the 1982 boundary re-organization, Government grants have accounted for a large proportion of revenues. These grants include statutory grants which all municipalities are entitled to, transitional grants that were given to compensate for commercial areas lost in 1982, and special grants in lieu of the rural property tax.

It is interesting to compare the Board's situation in this respect with that of municipalities in the rest of the Region. Table 2 and Graph 1 show the proportion that government grants comprise of the total revenue of municipalities in the Region in recent years, Table 3 and Graph 2 show the amounts of the grants, and Table 4 and Graph 3 show the grants expressed as per capita ratios. In total, government revenues have accounted for less than 20% of all revenues. The Metropolitan Board and municipalities outside the urban core receive between one-half and two-thirds of their revenue from the Government. Thus, incorporating areas now within the Metropolitan Area will not necessarily remove their dependence on government grants. The sharp increase in the Board's percentage grant picture in 1982 as a result of the amendment of the Board's boundaries, brought it to the position of the fifth highest of all municipalities in the Region. However, the Board's reliance on Government grants has decreased to a certain extent since that time.

It should be noted that the assessment of municipalities by the province for the services provided to individual properties by the St. John's Fire Department varies throughout the region. In areas where tax is collected, the charge based on assessed value has been on average about $200. per household. In the smaller municipalities without property tax, it has been $30 per household and in the unserviced Metropolitan area no costs have been assessed.

TABLE 2

MUNICIPAL REVENUES

ST. JOHN'S URBAN REGION MUNICIPALITIES

PROVINCIAL GOVERNMENT GRANTS AS A PERCENTAGE OF TOTAL REVENUES

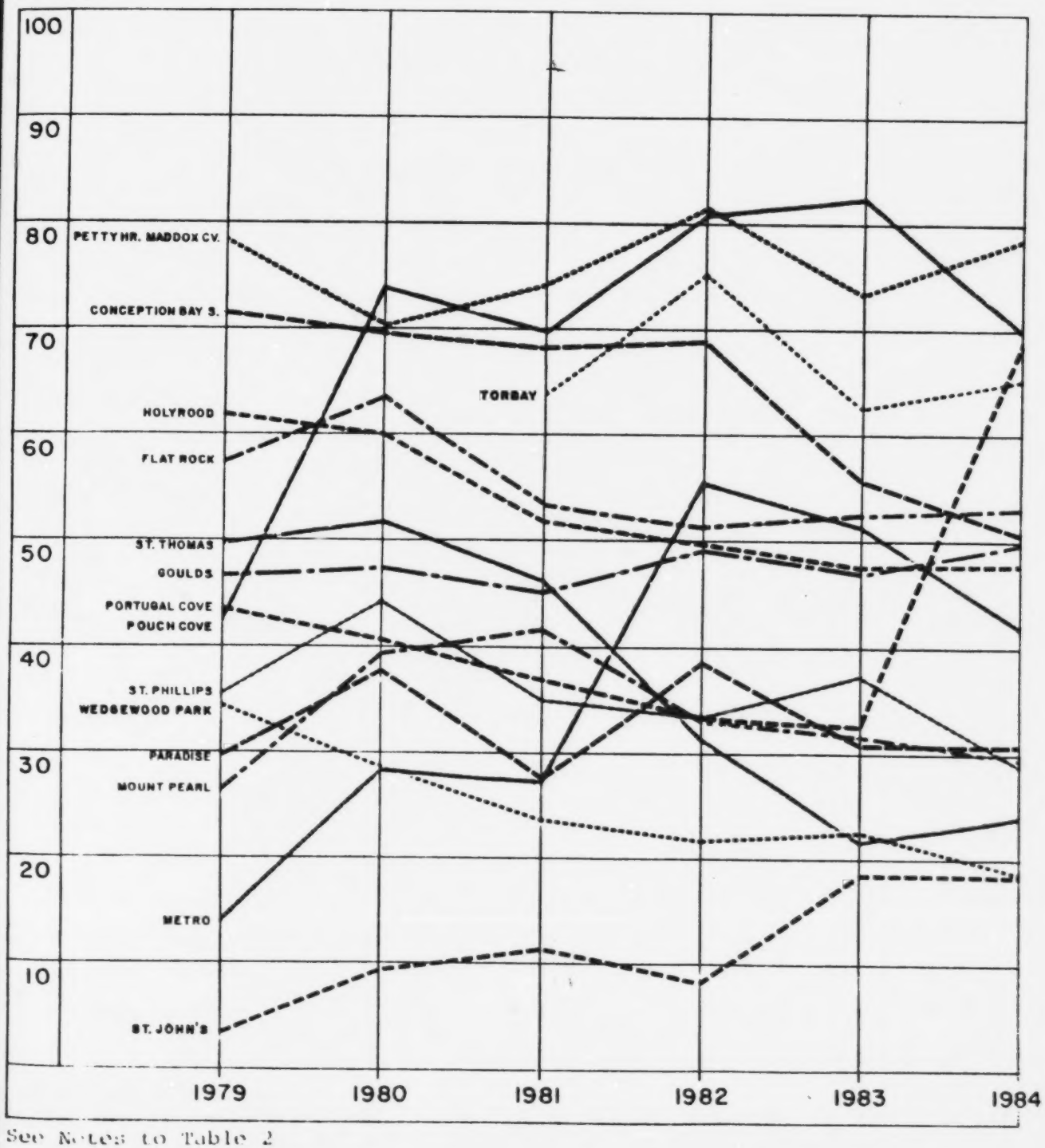
| | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 |
|---|---|---|---|---|---|---|
| Conception Bay South | 71.6 | 69.7 | 68.2 | 69.0 | 55.1 | 50.5 |
| Flatrock | 57.4 | 63 7 | 53.3 | 51.1 | 52.6 | 52.4 |
| Goulds | 46.9 | 47.2 | 45.1 | 49.1 | 47 0 | 49.3 |
| Holyrood | 61.9 | 60.0 | 51.9 | 49.9 | 47.8 | 47.3 |
| Mount Pearl | 26.4 | 39.3 | 41.8 | 33.1 | 30.8 | 29.9 |
| Paradise | 29.9 | 37.9 | 27.6 | 38.8 | 30.8 | 30.5 |
| Petty Harbour - Maddox Cove | 78.6 | 70.2 | 74.1 | 81.4 | 73.1 | 78.2 |
| Portugal Cove | 43.5 | 40.8 | 37.0 | 33.4 | 32.7 | 69.8 |
| Pouch Cove | 42.4 | 74.0 | 69.8 | 80.7 | 82.2 | 79.2 |
| St. Phillips | 35.6 | 44.2 | 35.0 | 33.5 | 37.4 | 29.1 |
| St. John's | 3.4 | 9.3 | 11.2 | 8.3 | 18.6 | 18.3 |
| St. Thomas | 49.9 | 51.7 | 46.1 | 31.4 | 22.3 | 24.4 |
| Torbay | * | * | 63.9 | 75.2 | 62.5 | 66.3 |
| Wedgewood Park | 34.6 | 28.8 | 23.8 | 21.8 | 22.5 | 18.9 |
| St. John's Metro | 13.9 | 28.4 | 27.2 | 55.7 | 51.1 | 41.8 |
| All Municipalities | 10.9[1] | 17.6[1] | 19.4 | 19.6 | 26.0 | 25.6 |
| All except Mt. Pearl, St. John's, Wedgewood Park, St. John's Metro | 60.4[1] | 62.5[1] | 59.8 | 63.8 | 56.7 | 55.2 |

1. Torbay not included.
2. The amounts for 1983 and 1984 for the City of St. John's and for the total for all municipalities include the City's proportion of the cost of the St. John's Fire Department, which was deducted from the total grants for 1981 and 1982 and was not charged in earlier years.

* Data not available.

Source - Municipal Financial Statements.

Graph I




See Notes to Table 2

## ST. JOHN'S URBAN REGION MUNICIPALITIES

**PROVINCIAL GOVERNMENT GRANTS AS A PROPORTION OF TOTAL REVENUES**

TABLE 3

MUNICIPAL REVENUES

ST. JOHN'S URBAN REGION MUNICIPALITIES

PROVINCIAL GOVERNMENT GRANTS

| $ 000. | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 |
|---|---|---|---|---|---|---|
| Conception Bay South | 994 | 1057 | 1644 | 1909 | 1668 | 1805 |
| Flatrock | 33 | 61 | 56 | 56 | 45 | 45 |
| Goulds | 158 | 212 | 257 | 415 | 492 | 511 |
| Holyrood | 313 | 318 | 325 | 315 | 295 | 296 |
| Mount Pearl | 359 | 842 | 1279 | 2076 | 2002 | 2179 |
| Paradise | 57 | 68 | 76 | 159 | 136 | 224 |
| Petty Harbour - Maddox Cove | 139 | 155 | 183 | 315 | 328 | 425 |
| Portugal Cove | 54 | 61 | 69 | 73 | 78 | 360 |
| Pouch Cove | 79 | 293 | 322 | 693 | 747 | 730 |
| St. Phillips | 29 | 39 | 38 | 37 | 53 | 56 |
| St. John's[2] | 887 | 2905 | 4399 | 3621 | 8402 | 9002 |
| St. Thomas | 15 | 19 | 29 | 21 | 18 | 23 |
| Torbay | * | * | 365 | 602 | 588 | 748 |
| Wedgewood Park | 127 | 126 | 136 | 132 | 133 | 140 |
| St. John's Metro[2] | 218 | 727 | 782 | 1276 | 1238 | 1379 |
| All Municipalities | 3462[1] | 6883[1] | 9960 | 11700 | 16223 | 17923 |

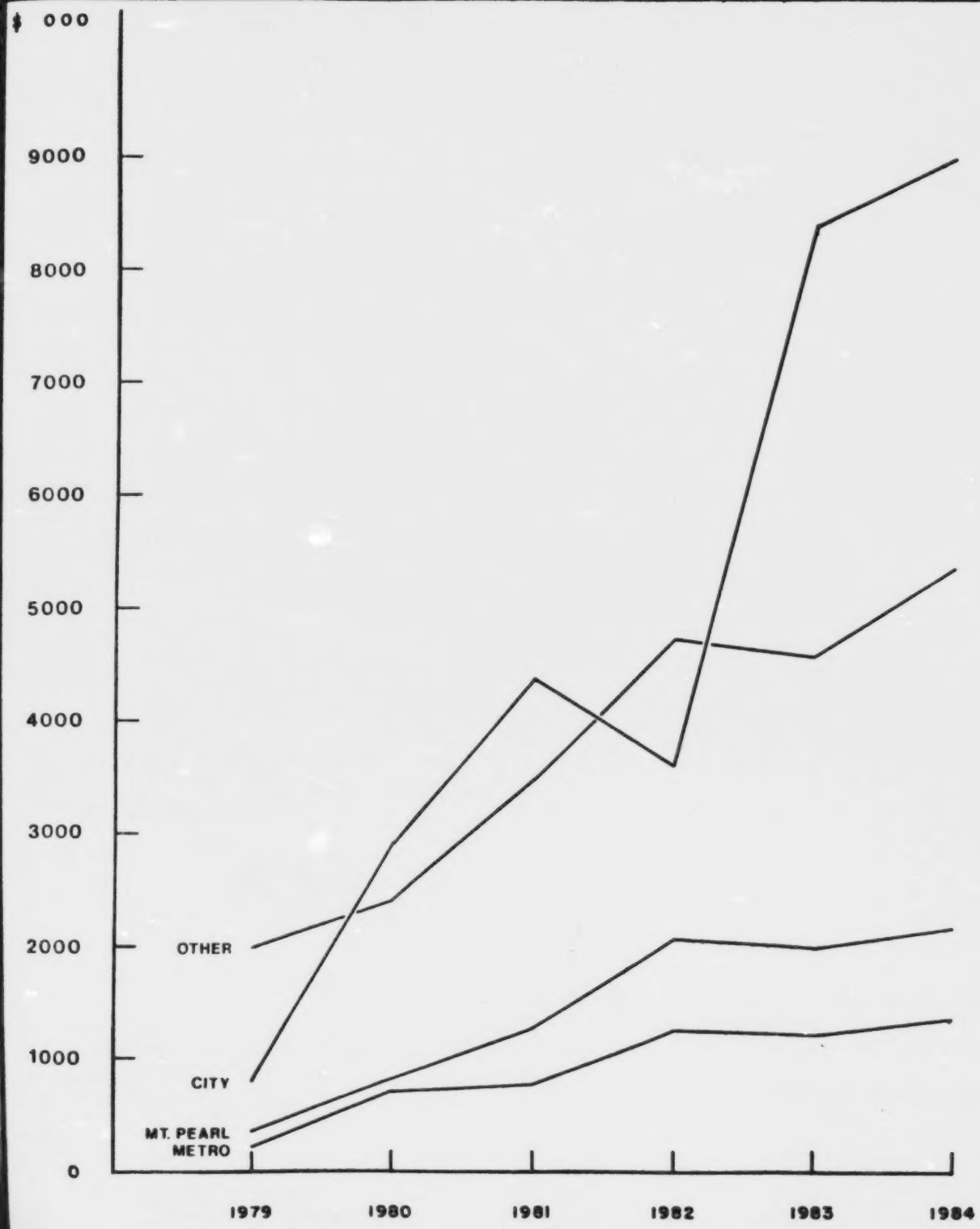
1. Torbay not included.
2. The amounts for 1983 and 1984 for the City of St. John's and for the total for all muncipalities include the City's proportion of the cost of the St. John's Fire Department, which was deducted from the total grants for 1981 and 1982 and was not charged in earlier years.

* Data not available.

Source - Municipal Financial Statements.

Graph 2

## MUNICIPAL REVENUES
## ST. JOHN'S URBAN REGION MUNICIPALITIES
## PROVINCIAL GOVERNMENT GRANTS




See Notes to Table 2

TABLE 4

ST. JOHN'S URBAN REGION MUNICIPALITIES

PROVINCIAL GOVERNMENT GRANTS PER CAPITA (1981 POPULATION)

| $ | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 |
|---|---|---|---|---|---|---|
| Conception Bay South | 91.6 | 97.4 | 151.4 | 175.8 | 153.6 | 166.3 |
| Flatrock | 40.8 | 75.5 | 69.3 | 69.3 | 55.7 | 55.7 |
| Goulds | 37.2 | 50.0 | 60.6 | 97.8 | 116.0 | 120.5 |
| Holyrood | 175.0 | 177.8 | 181.7 | 176.1 | 164.9 | 165.5 |
| Mount Pearl | 31.1 | 72.9 | 73.1 | 118.7 | 114.5 | 124.6 |
| Paradise | 19.9 | 23.8 | 26.6 | 55.6 | 47.5 | 78.3 |
| Petty Harbour - Maddox Cove | 163.0 | 181.7 | 214.5 | 369.3 | 384.5 | 498.2 |
| Portugal Cove | 22.9 | 25.8 | 29.2 | 30.9 | 33.0 | 152.5 |
| Pouch Cove | 51.9 | 192.5 | 211.6 | 455.3 | 490.8 | 479.6 |
| St. Phillips | 21.2 | 28.6 | 27.8 | 27.1 | 38.8 | 41.0 |
| St. Thomas | 33.5 | 42.4 | 64.7 | 46.9 | 40.2 | 51.3 |
| Torbay | * | * | 107.5 | 177.4 | 173.2 | 220.4 |
| Wedgewood Park | 103.6 | 102.8 | 110.9 | 107.7 | 108.5 | 114.2 |
| City of St. John's[2] | 10.6 | 34.7 | 52.5 | 50.0 | 95.0 | 101.8 |
| St. John's Metro | 12.4 | 41.3 | 55.5 | 90.6 | 87.9 | 85.8 |
| All except Mt. Pearl, St. John's, Wedgewood Park, and St. John's Metro | 69.0[1] | 84.2[1] | 110.3 | 150.7 | 145.8 | 171.3 |

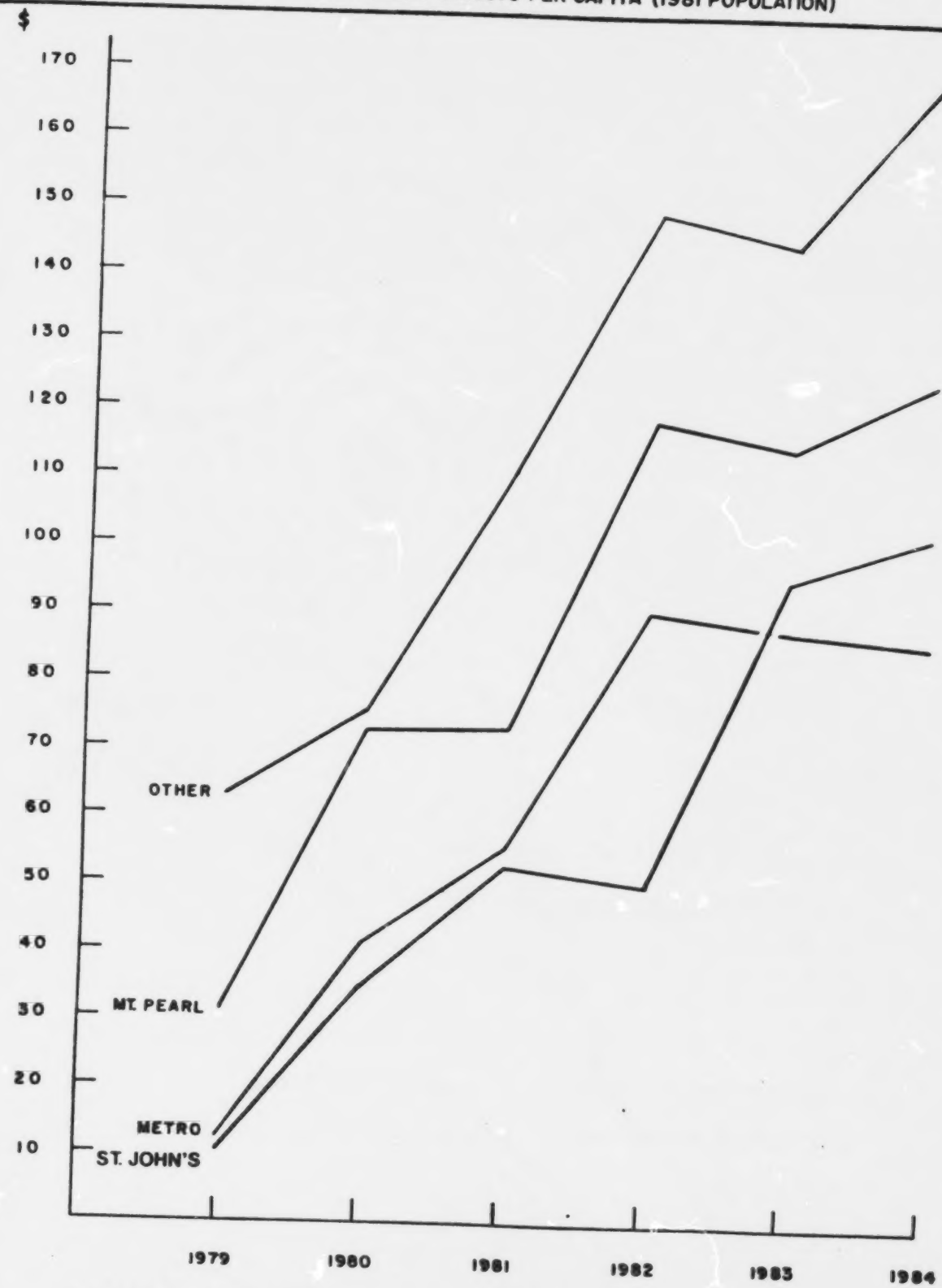
1. Torbay not included.
2. The amounts for 1983 and 1984 for the City of St. John's and for the total for all municipalities include the City's proportion of the cost of the St. John's Fire Department, which was deducted from the total grants for 1981 and 1982 and was not charged in earlier years.

* Data not available.

Source - Municipal Financial Statements.

Graph 3

## ST. JOHN'S URBAN REGION MUNICIPALITIES
### PROVINCIAL GOVERNMENT GRANTS PER CAPITA (1981 POPULATION)




See Notes to Table 2

With the imposition of property tax throughout the Metropolitan Area, the average amounts of these costs are likely to change.

Tables 5 and 6 compare the recent financial statements of the St. John's Metropolitan Area Board, and include the 1985 Budget figures. These tables do not include the revenues and expenditures of the operation of the Regional Water Supply System except that a certain amount of administrative costs are charged to the system. The amounts are shown in Table 5 and are included in both Table 5 and Table 6.

Table 5 provides a breakdown of revenue for the years 1979-84 and compares this with the estimated revenue from the 1985 budget. Revenue grew until 1982 when there was a sharp drop due to the first major boundary re-organization after which it commenced to grow again.

Table 6 provides similar information for expenditures, which also grew until 1982, dropped at that time, and grew again to 1985.

A summary of the 1986 Budget figures is provided in Table 7. These figures are not comparable with the figures in the earlier tables on the expenditure side due to a different classification but it is apparent that the recent boundary changes produce a sharp drop

in tax revenue. However, the Board has begun to impose property tax throughout its rural area and the proportion of revenue represented by property tax will rise. On the expenditure side, the administration category includes some one-time non-recurring expenditures.

The Board's 1986 Budget does not provide an adequate picture of the future financial viability of the Board in its current role and boundaries because the projected revenue includes a previous year's surplus, a $120,000. Transitional Grant, and also includes an estimated $550,000. Tax Incentive Grant, which (as provided in the legislation) is calculated on the Board's taxation revenue for the previous year. To properly examine the future financial viability of the Board, it is necessary to exclude any transitional and special grants, to calculate the Tax Incentive Grant on the reduced area and to ignore any previous years surplus or deficit. This is illustrated in Table 8.

TABLE 5
ST. JOHN'S METROPOLITAN AREA BOARD
REVENUE 1979-85

| $000 | 1979 | | 1980 | | 1981 | | 1982 | | 1983 | | 1984 | | 1985 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | AMT | % | AMT | % | AMT | % | AMT | % | AMT | % | AMT | % | AMT | % |
| PROPERTY TAX | 616 | 28.0 | 662 | 21.7 | 741 | 21.9 | 530 | 20.7 | 621 | 23.7 | 761 | 23.1 | 871 | 25.8 |
| BUSINESS TAX | 827 | 37.6 | 935 | 30.6 | 1075 | 31.7 | 150 | 5.8 | 172 | 6.6 | 340 | 10.3 | 350 | 10.4 |
| WATER AND SEWER RATES | 285 | 13.0 | 303 | 9.9 | 327 | 9.6 | 210 | 8.2 | 231 | 8.8 | 304 | 9.2 | 329 | 9.8 |
| REGIONAL WATER SYSTEM ADMIN. CHARGE | 20 | 0.9 | 30 | 1.0 | 70 | 2.1 | 90 | 3.5 | 120 | 4.6 | 225 | 6.8 | 225 | 6.7 |
| MISCELLANEOUS | 145 | 6.6 | 257 | 8.4 | 255 | 7.5 | 156 | 6.1 | 138 | 5.3 | 290 | 8.8 | 513 | 15.2 |
| GOVT. GRANTS | 306 | 13.9 | 865 | 28.3 | 921 | 27.1 | 1429 | 55.7 | 1337 | 51.1 | 1379 | 41.8 | 1081 | 32.1 |
| TOTAL | 2199 | | 3052 | | 3389 | | 2565 | | 2619 | | 3299 | | 3369 | |

NOTE - Information for 1979-84 from audited financial statements. Information for 1985 from the Board's Budget.

TABLE 6

ST. JOHN'S METROPOLITAN AREA BOARD
EXPENDITURES 1979-85

| $000 | 1974 | | 1980 | | 1981 | | 1982 | | 1983 | | 1984 | | 1985 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | AMT | % | AMT | % | AMT | % | AMT | % | AMT | % | AMT | % | AMT | % |
| GENERAL GOVERNMENT | 645 | 30.2 | 933 | 30.3 | 1039 | 31.6 | 921 | 37.9 | 1042 | 40.0 | 737 | 25.4 | 719 | 20.5 |
| PROTECTION | 245 | 11.5 | 259 | 8.4 | 271 | 8.2 | 259 | 10.7 | 344 | 13.2 | 455 | 15.7 | 543 | 15.5 |
| PUBLIC WORKS | 418 | 19.5 | 674 | 21.9 | 809 | 24.6 | 423 | 17.4 | 217 | 8.4 | 755 | 26.0 | 1082 | 30.9 |
| RECREATION | 5 | 0.2 | 13 | 0.4 | 59 | 1.8 | 10 | 0.4 | 28 | 1.1 | 40 | 1.4 | 63 | 1.8 |
| DEBT CHARGES | 197 | 9.2 | 219 | 7.1 | 165 | 5.0 | 168 | 6.9 | 176 | 6.8 | 181 | 6.2 | 291 | 8.3 |
| CAP. EXPENDITURE | 143 | 6.7 | 265 | 8.6 | 296 | 9.0 | 11 | 0.5 | 243 | 9.3 | 210 | 7.2 | 11 | 0.3 |
| WATER AND SEWER | 206 | 9.6 | 337 | 10.9 | 403 | 12.3 | 464 | 19.1 | 307 | 11.8 | 432 | 14.9 | 602 | 17.2 |
| OTHER | 279 | 13.1 | 381 | 12.4 | 247 | 7.5 | 174 | 7.2 | 245 | 9.4 | 94 | 3.2 | 194 | 5.5 |
| TOTAL | 2137 | | 3082 | | 3290 | | 2430 | | 2602 | | 2904 | | 3505 | |

NOTE - Information for 1979-84 from audited financial statements. Information for 1985 from the Board's Budget.

TABLE 7

ST. JOHN'S METROPOLITAN AREA BOARD 1986 BUDGET

$ 000

| REVENUES | AMOUNT | % | EXPENDITURES | AMOUNT | % |
|---|---|---|---|---|---|
| Property Tax | 562 | 27.9 | Administration | 859 | 42.7 |
| Business Tax | 271 | 13.5 | Engineering | 116 | 5.8 |
| Water and Sewer Fees | 39 | 1.9 | Planning and Development | 190 | 9.4 |
| Regional Water Supply Administration | 225 | 11.2 | Building Inspection | 64 | 3.2 |
| Miscellaneous | 59 | 2.9 | Protection to Persons & Property | 178 | 8.8 |
| Government Grants | 788 | 39.1 | Public Works | 298 | 14.8 |
| Surplus | 70 | 3.5 | Water and Sewer Maintenance | 131 | 6.5 |
| | | | Regional Trunk Sewer Assessment | 141 | 7.0 |
| | | | Recreation | 35 | 1.7 |
| TOTAL | 2014 | | TOTAL | 2014 | |

TABLE 8

ST. JOHN'S METROPOLITAN AREA BOARD

PROJECTED REVENUES AND EXPENDITURES

| | AMOUNT $000 |
|---|---|
| REVENUE[2] | |
| Property Tax | 562 |
| Business Tax | 271 |
| Water and Sewer Fees | 39 |
| Regional Water System Administration Charge | 225 |
| Miscellaneous[3] | 34 |
| Government Grants | 428 |
| TOTAL REVENUE | 1559 |
| EXPENDITURE[4] | |
| General Government[5] | 575 |
| Protection | 182 |
| Public Works | 669 |
| Recreation | 35 |
| Debt Charges | - |
| Capital Expenditures | - |
| Water and Sewer | 131 |
| Other[6] | 201 |
| TOTAL EXPENDITURE[7] | 1793 |

Source - Data supplied by the St. John's Metropolitan Area Board. See Notes.

NOTES

1. Projected revenue and expenditure is based on a constant St. John's Metropolitan Area based on the existing 1986 boundaries.

2. The projected revenue figures used include regular statutory grants that are applicable to all municipalities. These grants have been calculated based on the 1986 St. John's Metropolitan Area. In calculating the figures, no consideration has been given to an increase in assessment values, the number of additional taxable properties, taxes imposed or higher rates from the 1986 figures.

3. Government Grants consist of the following:

| | | |
|---|---|---|
| (i) | Population component | 80,000 |
| (ii) | Road Mileage | 7,800 |
| (iii) | Social Assistance | 30,000 |
| (iv) | Tax Incentive Grant | 310,000 |
| | | 428,433 |

The Tax Incentive Grant is based on the estimated collections of property tax and water and sewer charges for 1986. Part of these collections include outstanding collections for years prior to 1986.

4. No provision has been made for staff increases in salaries. However, it should be noted that union contracts provide for increases for CUPE and NAPE members.

5. General Government is reduced on the basis of the following:

(i) Smaller office space requirements.
(ii) Reduction in office expenses
(iii) Reduction in number of temporary staff

6. Includes provision for bad debt and regional trunk sewer assessment.

7. Any deficit which may occur may be balanced by increases in taxes, further reduction in expenditures, using surplus from previous years if available, or a combination of the three.

# PART III - OPTIONS FOR THE FUTURE

There are many possible futures for the St. John's Urban Region Regional Council, but there appear to be only four basic options with the remainder being variations or combinations of these.

Option 1 Establish the Regional Council in the same form as the Metropolitan Area Board with similar powers derived from The Municipalities Act.

This option would see the Regional Council being an appointed body with the same powers and responsibilities as the Board being exercised over a shrinking area and a declining population.

This would imply that an increasing portion of the Council's revenues would continue to be found from Government. In time, the Council's area and resources, and consequently its purpose, would be eroded by new incorporations and municipal boundary extensions to the extent that the limited services required could be more appropriately provided directly by the Province or by one or more of the larger municipalities.

The need to replace an appointed Council with an elected one would remain an issue if it is decided to levy property tax or other increased forms of taxation throughout the area. Taxation would be unpopular in the rural areas as very few services other than controls could be provided and it would be unlikely to generate

sufficient extra revenue to substantially replace special Government grants. However, unless some form of taxation is levied in these areas, the adjoining municipalities which are struggling to support themselves would have a legitimate complaint and would still have to contend with development moving out into untaxed areas.

The cost to the Government in subsidies and special grants would vary from approximately half a million dollars to one and a half million dollars annually, depending on the order and timing of incorporations and boundary extensions.

Option 2 Establish the Regional Council as a Rural Resource Agency but without regional responsibilities extending into other municipalities

If the rural communities which are at present considering incorporation are permitted to proceed, it would leave the Region's area of jurisdiction covering most, but not all, of the region's rural resource areas.

This option would leave the Region with a somewhat fragmented area and very little to do other than to control development in the resource areas under its control. However, the boundaries of the existing municipalities could be reduced in size to remove all the rural resource areas, such as watersheds and agricultural areas, transferring them to the Regional Council. The Town Councils would

be able to concentrate on administering to their municipalities' community needs and their existing and potential development areas and the Board would be better able to coordinate and administer the resource areas, such as watersheds, on behalf of the municipalities, and the agricultural, forestry, mineral and similarly designated areas on behalf of the Province and the Region.

The Region would not need a high level of taxation to support the role of controlling development in the resource areas and supplying rudimentary services to those residents still outside any municipality. It would, however, require a regular but not necessarily large annual grant from the Province and/or the other municipalities in return for administering Provincial resource policies and controls.

This option would be in accordance with the Henley Commission Report which recommended the exclusion of agricultural and forestry areas "so far as is practicable" from municipal boundaries. The present controls exercised by the City over Windsor Lake and other city watersheds might also be withdrawn, leaving the Regional Council to control all water sources in the Region, together with the Regional Water Supply System.

The cost to the Government in service charges or special grants would be consistent, subject to inflation, and would be in the region of a hundred and fifty thousand dollars.

Option 3 Establish the Regional Council as a Regional Authority with regional servicing and contractual responsibilities only in local municipalities.

The Regional Council would be given specific designated region-wide responsibilities and control of otherwise unincorporated areas. This would not be another level of local government but rather a service agency managing and providing regionalservices and contracting to provide management and services to municipalities for a fee.

Regional responsibilities could be limited at first but might be added as necessary. The Board might assume responsibility in the first instance over all water supply, sewage disposal and regional trunk services, solid waste disposal, storm drainage and animal control. Other functions which could be assumed later on are fire-fighting, recreation, and possibly public transportation.

The Regional Council could also provide services on contract to individual municipalities in the region if requested, in such matters as engineering, planning, building inspection and tax billing and collection.

It would control development, manage resources and supply basic services to the otherwise unincorporated parts of the area with the help of organized Local Service Districts and Committees.

Under this option, it would be desirable for the Regional Council to cease supplying detailed urban services by having the remaining Designated Service Area of Elizabeth Park taken into another municipality and resource areas such as watersheds and agricultural lands removed from other municipalities' jurisdiction. The incorporation of other settlements in the area could be considered on their merits. This option would enable the incorporation of communities and developing areas into new or existing municipalities to proceed while giving the Regional Council other functions and purposes.

The Regional Council could be authorized to levy taxes or fees from the otherwise unincorporated areas or Local Service Districts to cover the cost of specific services provided to them, to levy a service charge against the municipalities in the Region to cover general administrative costs of a region-wide nature, and to charge individual municipalities for special services provided. It would be eligible for statutory Provincial grants but should not require special subsidies of any kind.

The existing Metropolitan Area Board would become a Regional Council under the provisions of The Municipalities Act which gives great flexibility in determining the powers and responsibilities of such a Council but is still subject to a Feasibility Study, and Public Hearings.

The composition of the Regional Council may be any combination of appointed, elected, or representative councillors, but as it would represent the entire Region, including its municipalities, it should at least contain representatives of the larger municipalities as well as generally elected members.

Option 4. Disestablish the St. John's Metropolitan Area Board and not replace it in any form.

Under this option it is foreseen that as much as possible of the presently unincorporated area would be included in existing or new municipalites, the remaining remote rural areas would be administered as necessary directly by the Province. The responsibility for the operation and maintenance of the Regional Water Supply System could be transferred to the City of St. John's or taken over by the Province.

As discussed earlier, Evergreen Village (Elizabeth Park) could conveniently become part of Mount Pearl or Paradise. The Logy Bay - Outer Cove - Middle Cove areas are now being considered for incorporation. Bauline, although small in population could be incorporated or become a Local Service District, and Topsail Pond area, Shoe Cove and Windsor Heights could be included in adjacent municipalities. This would leave about 1,000 population scattered in Blackhead and on Thorburn Road, Old Broad Cove Road, Bauline Line and Bay Bulls Road, some of which could be included in nearby municipalities.

This option would involve considerable co-operation from existing municipalities in taking over as much of the present Metropolitan area as possible. Any area remaining would require day-to-day building and development control, and the Province would have to become directly involved in providing these services.

The cost to the Province would be difficult to calculate. No doubt there would have to be transition payments at least for a period of time to existing municipalities to take over non-profitable areas, but this would probably occur in all the options discussed. The incorporation of small uneconomic municipalities would also necessitate Government assistance from time to time. There would also be additional costs to departments carrying out development control activities which would not be able to be recovered by taxes or service charges.

## PART IV - RESPONSIBILITIES AND POWERS OF A REGIONAL COUNCIL

## RESPONSIBILITIES AND POWERS OF A REGIONAL COUNCIL

Regions and Regional Councils are established under the provisions of Part III of The Municipalities Act, and their individual responsibilities and powers are established by Order from those listed in the Act.

* * * * * *

### THE MUNICIPALITIES ACT

### PART III

### DIVISION B

304.(1) The Lieutenant-Governor in Council may, by order, subject to a feasibility study being conducted pursuant to section 301, designate powers that a regional council shall exercise for the entire region or any portion thereof governed by the regional council; such powers to be from among those set out in section 305 as the Lieutenant-Governor in Council may deem advisable in the circumstances.

(2) Where powers are designated under subsection (1) these powers cease to be the responsibilities of a city, town, community, road board, local service district committee or school tax authority, or other like body performing the designated power prior to the order, and the regional council assumes these powers and may exercise them in accordance with the Act establishing these bodies as if they were the body described therein.

305. The powers that may in whole or in part be designated under section 304 are

(a) the construction and operation of regional water supply systems, regional sewerage disposal systems, regional storm drainage systems and regional solid waste disposal sites, including any facilities designated in the order as regional facilities, and the charging of user fees on cities or municipalities benefited thereby;

(b) the provision of regional police services, ambulance services, animal and dog control, and other similar services within the region as may be prescribed;

(c) the provision, subject to The Urban and Rural Planning Act, of regional planning, local area planning in unincorporated areas, joint planning and development control along protected roads, in protected areas and other designated areas within the region;

(d) the undertaking of any other municipal function that a municipality or city performs or is permitted to perform under this Act by agreement with municipalities or cities subject to the recovery of the full cost thereof from the municipality or city; and

(e) the provision, by agreement with municipalities or cities, subject to the recovery of the full cost thereof from the municipality or city, of

(i) contract services,

(ii) tax billing and collection services,

(iii) engineering services,

(iv) management consulting services,

(v) data processing, and

(vi) any other technical and administrative services as may be required by municipalities.

306. The Lieutenant-Governor in Council may, by order, grant to a regional council all the the powers of a town council in all or part of the areas of the region that are not governed by a city, town or community council and where such an order is made Divisions E, F and G of Part I of this Act apply to such areas.

307. In addition to the powers set out in section 306 the regional council may establish local service districts in any part of the unorganized areas covered under an order made under section 306, and may prescribe and alter the boundaries of such local service districts.

308.(1) Where a local service district is established under under section 307, the regional council may

(a) provide for an advisory committee to be elected by public meeting from among the voters in the local service district;

(b) establish the size and, by regulations, the procedures of advisory committees;

(c) establish terms of reference for an advisory committee including the right to recommend

(i) on the application of provincial grants received with respect to the local service district,

(ii) on the provision of services in the local service district requiring additional taxes, rates or charges,

(iii) on local planning and development control, and

(iv) on any other matter relating to local government in the area contained within the local service district; and

(d) vary the amounts of taxes, rates and charges between different local service districts.

(2) Where a regional council assumes the power of a local service district established under Part VI, the local service district committee is deemed to be the advisory committee for the voters in the local service district until the regional council provides for an election under paragraph (a) of subsection (1).

309.(1) The Lieutenant-Governor in Council may, by order, state the ancillary powers that may be exercised by a regional council in carrying out their designated powers.

(2) Without limiting the generality of subsection (1), the Lieutenant-Governor in Council may state that the regional council may

(a) acquire any of the fixed assets of the municipalities and cities necessary for the exercise of the powers of the regional council, without compensation but including the assumption of the liabilities and obligations associated with these assets;

(b) require towns, communities and cities within the region to connect to and use regional services; and

(c) assess municipalities and cities within the jurisdiction of the regional council for a general service charge and in making that assessment consider in relation to the municipalities or cities all or any of the following:

(i) the number of persons who are eighteen years of age or older who ordinarily reside in the municipalities and cities,

(ii) the assessed value of the real property within the municipalities and cities,

(iii) the assessed value of the property used by businesses within the municipalities and cities.

* * * * * *

Potential Powers

The following is a discussion of the potential responsibilities and powers that apply or might apply in the St. John's Urban Region:

1. The Construction and Operation of:

(a) Regional Water Supply Systems

- The Board currently operates the Bay Bulls Big Pond Regional Water Supply system, providing water to reservoirs

or distribution points in St. John's, Mount Pearl, Conception Bay South, Paradise, and The Goulds. This system was installed by the Province, with financial assistance from Canada, and is the property of the Province.

- The City of St. John's operates the Windsor Lake Water Supply system providing water to St. John's and Wedgewood Park. The system is the property of the City.

- Both systems are capable of expansion into other areas, and either or both could be operated by a Regional Council, by the City or by the Province.

- User fees cover the operating costs but upgrading the Windsor Lake system, which is becoming necessary, will probably require Federal/Provincial financial support.

- Establishing one Water Authority to operate both major supply systems together with the small existing supply systems in other municipalities would be cost effective and would ensure that the regional water resource would be well managed.

- The responsibility of the Water Authority should include the maintenance of existing and future water catchment areas, but should <u>not</u> include the distribution systems in local municipalities.

(b) Regional Sewerage Disposal Systems

- Regional Trunk Sewers have in the past been installed by the Province with financial assistance from Canada in some instances. Half the capital cost has been charged to the user municipalities based on the amount of undeveloped land which will benefit from the service. The municipal costs are expected to be recovered over time from developers as service levies.

- Each trunk sewer is the responsibility of the municipality through which it runs for maintenance and operation. In theory, every municipality has reserved for its use a part of the trunk sewers' capacity equivalent to its share of the capital cost.

- The only major treatment plant in the Region is at Chamberlains. It is part of the Conception Bay South sub-regional system and is operated by the Town of Conception Bay South. A similar plant is planned to be constructed at Kelligrews and it will be part of the same system.

- Preliminary plans have been made to construct a large Sewage Treatment Plant at Freshwater Bay to take all of the

sewage presently discharged into St. John's harbour from St. John's, Mount Pearl, Wedgewood Park and Paradise.

- A Regional Sewerage Authority could effectively operate and maintain all main trunk sewers, including pumping stations and sewage treatment plants, charging a service fee to benefitting municipalities. Such fees would probably have to be based on population although measuring devices could be installed.

- The trunk sewers and disposal systems could also be operated on a sub-regional basis as at present but this would require intra-municipal agreements regarding operation, maintenance, and usage, which may be difficult to enforce.

(c) Regional Storm Drainage Systems

- Except for the natural drainage provided by the rivers and streams, there are no installed regional storm drainage systems.

- Environmental controls are administered by Provincial authorities but these do not provide for the co-ordinated management of storm drainage systems.

- There would be merit in making a Regional Sewerage Authority, if one were established, also responsible for Regional Storm Drainage. It would be necessary however to clearly establish the bounds of its responsibilities and authority.

- Separate sub-regional authorities could be established for each drainage basin but this task would clearly be beyond the scope of a single municipality.

(d) Regional Solid Waste Disposal Sites

- Two large sub-regional Solid Waste Disposal Sites are in use at Robin Hood Bay, St. John's, and near Foxtrap, Conception Bay South. Two smaller ones are located at Bay Bulls and Pouch Cove.

- Each Waste Disposal Site is operated by a single local municipality or Waste Disposal Committee but is used, on a charge-for-use basis, by several municipalities and unincorporated communities.

- Consideration is being given to the conversion of the Robin Hood Bay landfill system to one which would incinerate and produce electric power as a by-product.

- There would be an advantage in making solid waste disposal a Regional Council responsibility, particularly if there is the opportunity to recover usable materials and make use of by-products such as power generation. Car-wreck disposal or salvage should also be more economical on a regional basis.

- Sub-regional authorities could also operate a number of waste disposal sites as at present but single municipality operations would not be practical.

(e) Other Facilities

- Other facilities similar to those listed above may be designated as regional facilities.

2. The Provision of the Following Services:

(a) Regional Police

- Regular police services are provided by the Province through the Royal Newfoundland Constabulary, and there would appear to be no advantage in establishing, and separately funding, a regional police force to take their place.

- Municipal Enforcement Officers have been hired in some of the local municipalities. Their powers are limited to the

enforcement of municipal regulations and the provisions of the Act.

- The Regional Council could be given the power to combine the municipal enforcement officers into a single force but there would appear to be little purpose to this as each local municipality has its own way of enforcing its regulations.

(b) Ambulance Services

- Ambulance services are provided in the Region primarily by private operators, regional hospitals, and, possibly to a limited degree, by local municipalities. There is, it is understood, consideration being given to the establishment of an integrated Provincial ambulance service.

- A Regional Council could no doubt run an effective regional ambulance service but as this is not a regular municipal function in the Region at this time and consideration is being given to a Provincial service, there is little likelihood of its being required.

(c) Animal and Dog Control

- Every municipality has problems associated with animal and dog control, and employs full or part-time enforcement officers and a variety of facilities to impound animals.

- Regional animal pounds and humane facilities for destroying unwanted or injured animals would seem to be desirable and cost effective but it is unlikely that animal catchers would operate effectively on a Regional basis because of the size of the area to be covered.

(d) Other Services

(i) Fire Protection

- Other services similar to those listed above might well include the operation of a Regional Fire Service.

- The Province through the Department of Justice presently operates the St. John's Fire Service, which functions through the City of St. John's, The Town of Mount Pearl, Wedgewood Park, and several of the smaller municipalities and unincorporated areas.

- The cost of the Provincially-operated service, after an an amount (15%) has been deducted to cover the protection of Provincial buildings, is charged to the user municipalities on the basis of property values. Where property tax is not in effect, a flat rate is charged, and where no taxes are levied, no charges are assessed.

Municipal Fire Brigades operate in Torbay, Pouch Cove, The Goulds, Conception Bay South, and Holyrood.

The operation of a single Fire Service by a Regional Council would give the municipalities that are paying for the service the opportunity to determine its cost and sophistication. A fully integrated fire service should avoid duplication of equipment, and provide co-ordination of training and back-up.

(ii) Recreation

- Regional recreational services could be provided and administered by the Regional Council but only with the support and close co-operation of the local municipalities. Regional recreational plans might well help to avoid the costly duplication of local facilities.

Urban Transit

- The only Urban Transit service in the Region is that provided by the St. John's Transportation Commission on behalf of the City of St. John's. This bus service is heavily subsidized by the City of St. John's and is routed only through the most densely developed areas of the City. One route goes to Mount Pearl and is subsidized by the Council of the Town.

A number of private companies operate bus services to and from St. John's under the supervision of the Public Utilities Board.

The private vehicle is the preferred method of travel throughout the Region and it is unlikely that this will change in the near future. A Regional bus service could be operated but there appears to be no prospect of such a service reducing costs or improving the efficiency of the present service.

3. The Provisions Subject to The Urban and Rural Planning Act of:

(a) Regional Planning

Regional Plans are prepared by order of the Minister in accordance with the requisites of the Act and are

approved by the Minister with the approval of the Lieutenant-Governor in Council. These plans are implemented by Regional Development Orders made by the Lieutenant-Governor in Council.

The current St. John's Urban Region Regional Plan was prepared on the basis of a comprehensive study, public hearings and the recommendations of appointed Commissioners. It was approved on 5 August, 1976, and has been the subject of a number of amendments since then.

The Regional Plan essentially expresses the policies of the Provincial Government in the Region and particularly those relating to resources such as agriculture, forestry, and mining, as well as transportation and environmental protection. It is presently under review by the Provincial Planning Office and will be amended to accord with current Provincial policies.

In theory, the preparation of the Regional Plan could be delegated to a Regional Council, but in practice and as the Plan is primarily an expression of Provincial policies and subject to Cabinet concurrence, it would not be a desirable way to proceed in this instance.

(b) Local Area Planning

Local Area Plans are prepared by order of the Minister for areas that are outside municipal boundaries but are similar in content to Municipal Plans and are approved in the same manner.

The St. John's Metropolitan Area Municipal Plan is a mirror image of the Regional Plan, it is supplemented by a series of Development Schemes and implemented by Development Regulations.

Now that the serviced development areas are no longer in the Metropolitan Area, it would perhaps be preferable to dispense with the Municipal Plan in favour of a series of Local Area Plans covering all the areas outside the local municipalities' boundaries. Such a planning system would enable each sub-region or unincorporated community to be planned to meet its own individual requirements and in greater detail than at present.

(c) Joint Planning

Joint Municipal Plans are usually prepared under the provisions of The Urban and Rural Planning Act when two or more contiguous municipalities find it necessary or desirable to

co-ordinate their planning endeavours. A Joint Planning Authority is established to prepare a Plan on behalf of the municipalities concerned and advise the Councils on planning matters.

A Regional Council would be able under The Urban and Rural Planning Act to participate in a Joint Planning endeavour.

(d) Development Control

The Department of Municipal Affairs exercises a number of regulatory controls throughout the Province, some of which are applicable to the St. John's Urban Region.

Control of development alongside protected roads has already been transferred to the Metropolitan Area Board and should continue to be the responsibility of the Regional Council. However, if the boundaries of the Region are reduced in size from the present Metropolitan Area, or if a Regional Council is not established, it will be necessary to reinstate Provincial Protected Road controls.

The Provincial Planning Office administers subdivision control throughout the Region in all areas where full municipal services, including water and sewerage are not available. These controls should be made the responsibility

of the Regional Council, particularly if that Council is responsible for regional water and sewerage services.

Other controls that may be instigated from time to time under The Urban and Rural Planning Act may be designated to the Regional Council under the authority of that Act.

(e) General Planning Powers

Under the provisions of The Urban and Rural Planning Act, all of the above planning powers and responsibilities can be delegated from time to time to a Regional Council by the Minister or the Lieutenant-Governor in Council. It is not necessary therefore to make any specific designation in the order establishing a Regional Council.

4. The Undertaking of Other Municipal Functions

A Regional Council may be authorized to undertake by agreement any of the functions that are permitted to be performed by any municipality or city in the Region subject to the recovery of the full cost from the municipality concerned.

Such undertakings would be negotiated between individual municipal councils and the Regional Council, and would differ from

municipality to municipality. The Regional Council would not be obliged to accept the responsibility for any specific undertaking.

Undertakings that might be considered would most likely relate to the provision of services such as:

water and sewerage distribution and collection systems;

local road construction and maintenance; and,

solid waste collection.

Some controls may also be considered such as building control and inspection.

5. The Provision of Services by Agreement

In addition to and apart from the undertaking of municipal functions, the Regional Council may be authorized to enter into agreements with local municipalities or cities to provide technical and administrative services to them, subject to the recovery of costs.

The following services are listed in the Act:

(i) contract services;
(ii) tax billing and collection services;
(iii) engineering services;
(iv) management consulting services;
(v) data processing; and,
(vi) any other technical and administrative services.

It is unlikely that many of the small municipalities within the Region will be able to afford a high level of technical and administrative expertise or equipment of their own. By sharing facilities with other municipalities through the Region, a cost-effective method of availing of modern technology and expertise should become available.

The power to enable a Regional Council to enter into servicing agreements with local municipalities would provide a valuable opportunity for regional co-operation and cost-sharing to take place.

6. Powers in Unorganized Areas

A Regional Council may be granted all of the powers of a Town Council in respect of all or part of the areas of the region that are not governed by a city, a town, or a community.

The Board currently exercises all these powers throughout its area of jurisdiction and there appears to be little reason to discontinue them, particularly as a Regional Council established under the Act may establish Local Service Districts with elected Advisory Committees.

Within the Region there are a number of small communities that are not large enough to support, and probably do not need the

burden of an incorporated municipality but which could benefit from the establishment of a Local Service District with an elected Advisory Committee. Such Local Service Districts would be eligible for Government grants to be spent within their areas, for service fees to be levied for their own benefit, and the Committee would have a voice in the provision of services, local planning, and any other matters relating to the community.

Ancillary Powers

The Lieutenant-Governor in Council may by Order state the ancillary powers that may be exercised by a Regional Council in carrying out their designated powers.

a) The Acquisition of the Fixed Assets of Municipalities.

- The Regional Council may acquire the fixed assets of local municipalities that are necessary for it to properly exercise the powers given to it.

- Eligible assets may be acquired without compensation but the liabilities and obligations associated with the assets must also be assumed.

- It follows that if for instance the Regional Council assumes the responsibilities for operating all regional

water supplies and for the provision of clean water to distribution points within local municipalities, then it must own or have the sole right to all present and future water resources in the region, (ie.) water catchment areas, and all treatment plants, pumping stations, reservoirs, and other plant and equipment necessary to be able to deliver the water. In assuming the rights, it would also assume the debts incurred in developing the components of the water system and any other liabilities, and it may also inherit the personnel engaged in operating the system.

- In addition to regional water systems, the acquisition of fixed assets may relate to: regional sewerage disposal systems, regional storm drainage systems, regional solid waste disposal and other similar systems. Other services with fixed assets could include the regional fire service and regional transit services.

b) Requirement for Local Municipalities to Use Regional Services

If specific regional services are provided then it would be necessary for the Regional Council to have the power to require local municipalities to connect to and use them, if only to prevent the costly duplication of services.

c) Assessment of a General Service Charge

- Regional Councils may be given the power to assess and collect a general service charge from the municipalities and cities within the Region in order to meet administrative and operating costs.

- General Service Charge assessments may be authorized by the Lieutenant-Governor in Council to specific limits and may be based on all or any of the following:

(i) the number of persons eighteen years of age or older residing in the municipality or city;

(ii) the assessed value of the real property in the municipality or city; and,

(iii) the assessed value of the property used by businesses within the municipalities and cities.

- An assessment based on population would relate most closely to the level of service provided by the Regional Council to the municipality but would not necessarily relate to its ability to pay, and, if assessments are levied on this basis the municipalities might well expect to have representation on the Regional Council based on population.

- Property tax is the usual base for municipal taxation on the basis that the benefits of municipal services are

proportional to the value of the property served and Regional services would not be an exception.

- In an urban region, the tax benefits received from businesses operating in the Region are not shared equally by the municipalities in the Region although the businesses concerned usually benefit from the whole region as their market place. A method of sharing the business tax revenues throughout the Region would be to base general service charge assessments on business property values.

- Fees for services provided should cover most of the administrative and operating costs of the Regional Council but it may be considered necessary to acquire some general funding. However, if a general service charge is authorized by the Lieutenant-Governor in Council, then strict limits should be placed on extent of its use.

# PART V - FUNDING OF A REGIONAL COUNCIL

## FUNDING A REGIONAL COUNCIL

In addition to charging municipalities and cities within the Region for the full cost of services provided and the power that may be given to levy a limited general service charge, the Regional Council would be expected to receive grants from higher levels of Government. The Municipal Grants Act contains the following provision:

* * * * * *

## THE MUNICIPAL GRANTS ACT

### Regional Incentives Grant

11. The Minister shall, out of the funds provided by the Legislature for that purpose, grant an amount of money to any regional authority established by or under an Act in such proportion as prescribed by regulation of the expenditures of such a regional authority, to be known as the Regional Incentives Grant.

* * * * * *

Regulations have not yet been made establishing the level of Regional Incentive Grants to be paid to Regional Councils but it should be noted that they will be based on expenditures and not on property tax as is the case for municipalities and cities.

It is intended that grants and assistance given generally to Local Service Districts will also be given to the Regional Council in respect of Local Service Districts within the Region.

The Regional Council would expect to receive grants and subsidies paid by both the Federal and Provincial Governments from time to time in respect of capital works, and any other financial assistance generally given to municipalities.

## PART VI - THE BOUNDARIES OF THE REGION

The Municipalities Act states that the Lieutenant-Governor in Council may, by order, on the recommendation of the Minister and subject to a feasibility study being conducted, establish any area in the Province as a region and establish its boundaries.

There are no rules for establishing the boundaries of a region but it will be advantageous if they contain all of the areas, including incorporated municipalities and cities, that will avail of the services provided by the Regional Council and exclude any areas that are outside of its sphere of influence.

Following studies carried out by consultants, Proctor & Redfern Ltd., and Paterson Planning & Research Ltd., in 1972/3, and based on the recommendations of the Henley Commission of Enquiry, 1974, Regional Planning Area Boundaries were established in 1976. The boundaries encompass the entire St. John's peninsula from Witless Bay and Holyrood to Cape St. Francis, and include Bell Island.

The St. John's Metropolitan Area boundaries presently cover the same area as the Regional Planning boundaries with the exclusion of incorporated local municipal areas and all of Bell Island.

There does not appear to be any reason either to reduce or extend the overall area of the Region but consideration must be given to either including or excluding the incorporated local municipalities within the regional boundaries.

The St. John's Metropolitan Area Board, under present legislation, has the same powers and responsibilities as a town incorporated under The Municipalities Act and consequently, the area of jurisdiction of the Board and of any Council is prohibited from overlapping. However, a Regional Council incorporated under The Municipalities Act has distinct powers and responsibilities apart from those of a City or a Town Council, and coincidental areas of jurisdiction would not conflict.

If the regional boundaries are to exclude all other municipal boundaries, then it will be necessary in many instances to reduce the current extent of these boundaries to exclude watersheds, agricultural lands, and other similar areas that must be administered by the Regional Council in order for it to carry out its designated responsibilities. It would be very confusing and not a practical proposition for the boundaries to overlap in part.

If the regional boundary is inclusive of all other municipal boundaries, then the extent of those boundaries will not be a concern as each municipality will be in a position to administer its own responsibilities within its area of jurisdiction without conflict.

The inclusion or not of the local municipalities within the boundaries of the Region will also influence the level of involvement of those municipalities with the Regional Council, as will be seen from the next Part of this discussion paper.

# PART VII - THE REGIONAL COUNCIL

## THE REGIONAL COUNCIL

The constitution and composition of the Regional Council, its status, authority, and procedures are set out in The Municiupalities Act.

* * * * * *

## THE MUNICIPALITIES ACT

### PART III

### DIVISION C

310. The Lieutenant-Governor in Council may, by order, constitute a regional council for every region established under this Act to control and manage the region in accordance with this Act.

311. Every council is to consist of such number of persons as may be prescribed by the Lieutenant-Governor in Council from time to time.

312. The Lieutenant-Governor in Council may, by order, establish and change the number and boundaries of wards and fix the number of councillors to be elected for each ward.

313.(1) The Lieutenant-Governor in Council may, by order, designate and change the number or proportion of a regional council that is to be appointed from elected councils of cities and municipalities in the region or elected at large or to represent wards.

(2) Where pursuant to subsection (1) there are to be appointed councillors the Lieutenant-Governor in Council may appoint councillors, and such appointments shall be

(a) from such municipalities or cities as the municipalities and cities in the region may designate, and

(b) on the recommendation of the elected council in the designated municipalities or cities.

(3) Where municipalities and cities do not, within a reasonable period, make a designation for the purposes of paragraph (a) of subsection (2), the Lieutenant-Governor in Council may make a designation.

314. Every regional council is a corporation.

315.(1) The first election of the elected members of the council shall take place on a date fixed by the Minister.

(2) The Minister may defer the holding of an election under subsection (1) to a date not later than one year after the region has been established.

Election of Chairman and Deputy

316. At the first meeting held following the first election and each general election or if the council consists only of appointed councillors at the first meeting following the appointment, the councillors shall elect one councillor to be chairman and one councillor to be deputy-chairman.

317. The election shall be conducted by the regional clerk or returning officer.

318. Where a vacancy occurs in the office of chairman, the deputy chairman shall assume the office of chairman for the remainder of the chairman's term and has all the powers and shall exercise the duties of the chairman.

Chairman

319. The Chairman is the presiding officer of the council and is the official head of the region for all ceremonial purposes.

320. In the absence or incapacity of the chairman the deputy chairman has the duties and shall exercise the powers of the chairman.

321. The chairman

(a) shall be vigilant and active at all times in causing the laws of the government of the region to be duly executed and obeyed and in making all reasonable efforts to advance and promote the aims and objects of the council; and,

(b) shall exercise such powers and perform such duties as may be conferred or imposed upon him by the council, the Act or the regulations.

322. The chairman is subject to the direction and control of the council and shall abide by any decision of the council.

Meetings

323.(1) The chairman, and in his absence, the deputy chairman shall preside at all meetings of the council.

(2) If the chairman and deputy chairman are absent from a meeting the other councillors shall appoint a temporary chairman who has and may exercise the powers and carry out the duties of the chairman at the meeting.

324. A council shall meet at least once every month for the dispatch of general business at the call of the clerk, which call shall be made at the request of the chairman, or any two councillors, and shall meet at any other time in the same manner.

325. A council may establish such standings or special committees as it deems desirable to consider matters referred to it by the council and make recommendations thereon to the council.

* * * * * *

The Lieutenant-Governor in Council is empowered to constitute a Regional Council to control and manage a region established under the Act, and each council will consist of such number of persons as may be prescribed from time to time.

Unlike a town council which may have not less than five nor more than ten members, a regional council may have an unlimited

number of members, but, a very large membership as would be necessary to establish a precise representation by population, would be unwieldy and probably ineffective.

Regional councillors may be elected at large or to represent wards or may be appointed from elected councils of cities and municipalities in the region, or any combination of these methods.

The election of regional councillors, except for the first election, would be on the same date and in the same manner as other municipal elections and it would seem to be appropriate to use the same polling stations and facilities. Any wards established for the purpose of electing regional councillors should therefore take existing municipal boundaries into account.

The election of councillors-at-large would tend to favour the larger population centres, whereas appointments from all elected local councils would favour the smaller municipalities. Wards established on the basis of population would be likely to be most representative of the residents of the region but would not provide for any direct link with the local municipalities.

To achieve a reasonable balance of representation, it would seem to be necessary to use all three, or, certainly more than one method of electing and appointing regional councillors. The

following could, by way of example, be one of the many alternatives open to considertion.

| | |
|---|---|
| Elected at Large | 3 councillors |
| Elected to Represent Wards | |
| Central Ward | 2 councillors |
| South Ward | 1 councillor |
| West Ward | 1 councillor |
| North Ward | 1 councillor |
| Appointed from Elected Councils | |
| City of St. John's | 3 councillors |
| Town of Mount Pearl | 1 councillor |
| Town of Conception Bay South | 1 councillor |

This would create a council of thirteen members, including the chairman being elected from among the members at the first meeting.

As discussed previously, in addition to electing regional councillors, unincorporated communities within the Region may elect advisory committees to represent their specific local interests to the Regional Council.

The Regional Council will be a corporation with corporate responsibilities respecting the powers and duties derived from its constitution, and it will operate much as any other

municipality established under The Municipalities Act. It will not exercise any jurisdiction over the local municipalities in respect of their statutory powers, duties and responsibilities.

SCHEDULE

## ST. JOHN'S URBAN REGION

## OPTIONS FOR THE ESTABLISHMENT OF A REGIONAL COUNCIL

The following questionnaire is to be completed by each municipality within the St. John's Urban Region, and by any other organization or agency interested or involved in the establishment of regional government in the area.

The results will be used to assist the Department of Municipal Affairs to prepare a proposal for the establishment of the St. John's Urban Region Regional Council and to recommend the responsibilities that it should be given.

The proposal will form the basis for the conduct of the Feasibility Study required under the provisions of The Municipalities Act.

In responding to the questionnaire, please put a reference number in the "conditional" column and set out the conditions or comments that you wish to make on a separate sheet of paper.

# ST. JOHN'S URBAN REGION

## OPTIONS FOR THE ESTABLISHMENT OF A REGIONAL COUNCIL

## RESPONSIBILITIES AND POWERS

### 1. POTENTIAL POWERS

| The Construction and Operation of: | To be Designated as a Regional Responsibility | | |
|---|---|---|---|
| | Yes | No | Conditional |
| (a) (i) Regional Water Supply Systems. | | | |
| (ii) Water Supply, excluding distribution services to all municipalities. | | | |
| (iii) Water Catchment Areas. | | | |
| (b) (i) Regional Sewage Disposal Systems. | | | |
| (ii) Sewage Treatment for all Municipalities. | | | |
| (c) (i) Regional Storm Drainage Systems. | | | |
| (ii) Flood Control in all Municipalities. | | | |
| (d) Regional Solid Waste Disposal Sites | | | |
| (e) Other Facilities, (please list): | | | |
| (i) ..... | | | |

2. SERVICES

| | To be Designated as a Regional Responsibility | | |
|---|---|---|---|
| | Yes | No | Conditional |
| (a) Regional Enforcement Officers. | | | |
| (b) Regional Ambulance Service. | | | |
| (c) Regional Animal and Dog Controls. | | | |
| (d) Other Services, (please list): | | | |
| (i) Regional Fire Protection, | | | |
| (ii) Regional Recreation Services, | | | |
| (iii) Regional Transit, | | | |
| (iv) ..... | | | |

3. PLANNING

| | | | |
|---|---|---|---|
| (a) Regional Planning. | | | |
| (b) Local Area Planning. | | | |
| (c) Joint Planning. | | | |
| (d) Development Control. | | | |
| (e) Other Planning Powers, (please list): | | | |
| (i) ..... | | | |

4. MUNICIPAL FUNCTIONS THAT MIGHT BE UNDERTAKEN BY AGREEMENT

| To be Designated as a Regional Responsibility | | |
|---|---|---|
| Yes | No | Conditional |
| | | |

(a) The authority to undertake by mutual agreement, any of the functions performed by a local municipality.
(eg) Water and sewerage distribution and collection systems,
local road construction and maintenance,
solid waste collection,
building control and inspection.

5. THE PROVISION OF SERVICES BY AGREEMENT

| To be Designated as a Regional Responsibility | | |
|---|---|---|
| Yes | No | Conditional |
| | | |

(a) The authority to provide technical and/or administrative services to a municipality by mutual agreement.
(eg) Contract services,
tax billing and collection services,
engineering services,
management consulting services, and
data processing services.

| 6. POWERS IN UNORGANIZED AREAS | To be Designated as a Regional Responsibility | | |
|---|---|---|---|
| | Yes | No | Conditional |
| (a) The powers of a Town Council in respect of areas not governed by a City, Town or Community Council. | | | |

7. ANCILLARY POWERS

(a) To acquire the fixed assets of municipalities that are necessary to exercise regional responsibilities.

(b) To require local municipalities to connect to and use regional services.

(c) To assess and collect a general service charge from local municipalities to cover regional administrative and operating costs, based on any or all of the following:

(i) per capita assessment,
(ii) the assessed value of real property,
(iii) the assessed value of businesses.

8. REGIONAL INCENTIVE GRANT

A regional incentive grant is to be prescribed by regulation and to be based on the expenditures of the regional authority.

(Please suggest an appropriate form and level of such a grant).

9. REGIONAL BOUNDARIES

| To be Designated as a Regional Responsibility |
|---|

| Yes | No | Conditional |
|---|---|---|
| | | |

(a) Should the boundaries of the Region:

(i) Extend to the area covered by the existing Regional Planning Boundaries,
(ii) Include all local municipalities,
(iii) Exclude all local municipalities but reduce their boundaries as necessary,
(iv) Other, (please describe):

10. REGIONAL COUNCIL

| To be Designated as a Regional Responsibility |
|---|

| Yes | No | Conditional |
|---|---|---|
| | | |

(a) Should Regional Councillors be:

(i) Elected at large,
(ii) Elected to represent wards,
(iii) Appointed from elected councils,
(iv) A combination of the above.

(b) What should be the approximate size of a Regional Council:

(i) 5 to 10,
(ii) 10 to 20,
(iii) 20 to 50,
Other, (please specify):
(iv) .....

(c) Suggest one or more alternative Regional Council structures, specifying numbers, area representation, and method of election or appointment.